

FACT SHEET

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Universal Waste

The Environmental Protection Agency (EPA) promulgated the Universal Waste Rule (UWR) codified in Title 40 Code of Federal Regulations (CFR) Part 273, "Standards for Universal Waste Management," on 11 May 1995. The rule was developed to improve waste management practices of widely generated, low risk Resource Conservation and Recovery Act (RCRA) hazardous wastes.

What is a Universal Waste?

The EPA chose "universal" to describe the nature of certain commonly generated hazardous wastes. Specifically, a hazardous waste exhibiting any of the following characteristics can be classified as a universal waste:

- The waste is frequently generated by a wide variety of settings other than industrial settings usually associated with hazardous wastes;
- The waste is generated in a vast community and in sufficient quantities to cause difficulties in managing the waste properly for both the regulated community and the regulators; and
- The waste is present in significant volumes in the municipal solid waste stream (non-hazardous waste management systems).

Listed Universal Wastes

In 1995, the EPA designated three types of hazardous wastes as universal: batteries, pesticides, and thermostats. Lamps were added to the list in 1999. These four hazardous wastes, discussed in detail below, are characterized by the EPA as universal and may be managed under universal waste regulations. Wastes not meeting the specific requirements established in Title 40 CFR 273, Subpart A, must be managed according to RCRA regulatory requirements contained in Title 40 CFR Parts 260 through 272.

Batteries - A battery is defined as a device designed to receive, store, and deliver electric energy, and consists of one or more electrically connected electro-chemical cells. The term also includes an intact, unbroken battery from which the electrolyte has been removed. Spent lead-acid batteries, which are not managed under Title 40 CFR Part 266, Subpart G, "Spent Lead-Acid Batteries Being Reclaimed," are subject to management under universal waste regulations.

Lamps - A lamp is defined as the bulb or tube portion of an electric lighting device. As of 6 January 2000, any spent or waste lamp that is hazardous or exhibits one of the hazardous waste characteristics identified in Title 40 CFR Part 261, "Identification and Listing of Hazardous Wastes," is subject to regulation as a universal waste.

Pesticides - A pesticide means any substance or mixture of substances intended for preventing, destroying, repelling, or mitigating any pest, or intended for use as a plant regulator, defoliant, or desiccant, other than animal drugs and feeds. Thus, any unused pesticide products collected and managed as part of a waste pesticide collection and/or recall program mandated by the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA), or a voluntary recall program, are subject to management under universal waste regulations.

Thermostats - A thermostat means a temperature control device containing metallic mercury in an ampule attached to a bimetal sensing element, and mercury-containing ampules having been removed from these temperature control devices. If thermostats are not discarded (i.e. not waste), or are determined not to be a hazardous waste, they are not subject to universal waste regulations.

Streamlined Management

The UWR provides relief from the full regulatory aspects of RCRA by simplifying collection and management requirements for universal waste handlers, transporters, and destination facilities, ensuring proper waste management and promoting recycling.



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Universal Waste Handlers

A universal waste handler is a generator of universal waste or one that receives universal waste from other universal waste handlers, accumulates universal waste, and sends universal waste to another waste handler, destination facility, or foreign destination. There are two categories of handlers, based on the amount of universal wastes accumulated on-site (batteries, lamps, pesticides, or thermostats calculated collectively):

- Small quantity handlers of universal waste (SQHUW), as defined in Title 40 CFR Part 273.9, are handlers who accumulate less than 5,000 kilograms (11,000 pounds) of universal waste at any one time. Requirements for SQHUW are found in Subpart B of Title 40 CFR Part 273.
- Large quantity handlers of universal waste (LQHUW), as defined in Title 40 CFR Part 273.9, are handlers who accumulate over 5,000 kilograms of universal waste at any time. The designation as a LQHUW is retained through the end of the calendar year in which 5,000 kilograms or more of universal wastes is accumulated. Requirements for LQHUW are found in Subpart C of Title 40 CFR Part 273.

Universal Waste Transporters

A universal waste transporter is any person engaged in the off-site transportation of universal waste by air, rail, highway, or water. Requirements for universal waste transporters are found in Subpart D of Title 40 CFR Part 273. The rule specifies time limits for on-site universal wastes, requirements for off-site shipments and exports of a universal waste, and requires transporters to comply with all applicable Department of

Transportation regulations of Title 49 CFR Parts 171 through 180.

Destination Facilities

A destination facility is defined as any facility that treats, disposes of, or recycles a particular category of universal waste. Destination facilities are required to meet all applicable requirements for hazardous waste facilities including permitting and notification requirements under RCRA, as specified in Subpart E of Title 40 CFR Part 273.

Implementation of the Rule

Since managing wastes under the UWR is less strict than hazardous waste management under RCRA, the rule does not automatically apply in all fifty states and United States territories. States that have EPA authorized RCRA programs may adopt the streamlined management practices of the UWR, but state adoption is optional.

PROACT strongly encourages installations to coordinate with appropriate state regulatory agencies in order to ensure both state and federal requirements regarding proper management of universal wastes are met prior to implementing the provisions of the UWR.

For More Information...

This is the first in a series of fact sheets discussing universal wastes. Additional assistance can be obtained by contacting PROACT at DSN 240-4240, (800) 233-4356, by e-mail at pro-act@brooks.af.mil, or by visiting the following website:

- Universal Waste, Office of Solid Waste, EPA: <http://www.epa.gov/epaoswer/osw/index.htm>

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